

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

V.

HUGO COLLAZOS-MUNOZ,

Defendant.

NOS. CR-00-054-RHW
CR-00-058-RHW
CR-00-105-RHW

**ORDER DENYING DEFENDANT'S
MOTION TO ALTER OR AMEND
JUDGMENT OR MOTION FOR
RECONSIDERATION PURSUANT TO
RULE (59)(e)**

Before the Court is Defendant's Motion to Alter or Amend Judgment or Motion for Reconsideration Pursuant to Rule (59)(e) (CR-00-054-RHW [Ct. Rec. 201], (CR-00-058-RHW [Ct. Rec. 191]), (CR-00-105-RHW [Ct. Rec. 194]). The motion was heard without oral argument.

Under Fed. R. Civ. P. 59(e), a motion for reconsideration should not be granted, absent highly unusual circumstances, unless the district court is presented with the need to correct a clear error or prevent manifest injustice, newly discovered evidence is introduced, or there is an intervening change in the controlling law. *389 Orange Street Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999). Thus, to succeed in a motion for reconsideration, a party must set forth facts or law of a strongly convincing nature to induce the Court to reverse its prior decision. *See Kern-Tulare Water Dist. v. City of Bakersfield*, 634 F. Supp. 656, 665 (E.D. Cal. 1986), *aff'd in part and rev'd in part on other grounds*, 828 F.2d 514 (9th Cir. 1987).

Here, Defendant appears to be arguing that the Court needs to correct clear error

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1 or prevent manifest injustice. However, Defendant has not provided the Court with any
2 evidence that it committed clear error. As such, Defendant's request for an evidentiary
3 hearing is also denied.

4 **Accordingly, IT IS HEREBY ORDERED:**

5 Defendant's Motion to Alter or Amend Judgment or Motion for Reconsideration
6 Pursuant to Rule (59)(e) (CR-00-054-RHW [Ct. Rec. 201], (CR-00-058-RHW [Ct. Rec.
7 191]), (CR-00-105-RHW [Ct. Rec. 194]) is **DENIED**.

8 **IT IS SO ORDERED.** The District Court Executive is hereby directed to enter
9 this order and to furnish copies to Defendant and counsel for the government.

10 **DATED** this 24th day of February, 2006.

11
12 s/ Robert H. Whaley

13 **ROBERT H. WHALEY**
14 Chief United States District Judge

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